

REMARKS

Summary of Office Action

Claims 1-84 were pending in this case. The Examiner objected to claims 34-36 and 44 because of informalities. The Examiner rejected claims 1-84 under 35 U.S.C. § 102(b) as being anticipated by Alexander et al. U.S. Patent 6,177,931 (hereinafter "Alexander").

Summary of Applicant's Reply

Applicants have canceled claims 9-17, 37-45, and 65-73. Applicants have amended independent claims 1, 18, 25, 29, 46, 53, 57, 74, and 81 to more clearly define the invention. Applicants have amended claims 21, 22, and 34-36 to correct typographical errors. Reconsideration of this application in light of the following remarks is respectfully requested.

The Examiner's Claim Objections

The Examiner objected to claims 34-36 and 44 because of informalities in the stated dependency of those claims. Applicants have canceled claim 44. Applicants have amended claims 34-36 to correct their dependency from claim 20 to claim 29. The Examiner's objection is therefore obviated and should be withdrawn.

Claims 1-8, 29-36, and 57-64

Applicants' independent claims 1, 29, and 57, as amended, are directed to a system and method for providing access to a passive video product (e.g., barker channels, passive program guides) from an interactive application (e.g., interactive television program guide). A branded selectable option is provided within a display of the interactive application that includes a product brand logo graphic of a provider of the passive video product. In response to a user selecting the option from the interactive application display, the passive video product is provided from the provider.

Applicants submit that independent claims 1, 29, and 57 are patentable over Alexander at least because the claimed invention patentably improves upon Alexander by providing a branded selectable option having a product brand logo graphic of a provider of the passive video product within an interactive application display. As illustrated by applicants' FIG. 5, a product brand logo graphic (e.g., a commercially recognized product logo) may be included in selectable brand feature 505 to distinctively indicate the brand (i.e., the provider) of the passive video product that may be accessed by user selection of feature 505 (applicants' specification, page 28, lines 6-28). Applicants' claims patentably improve upon Alexander by requiring a product brand

logo graphic in a display option that is selectable by a user to access a passive video product.

Accordingly, for at least the foregoing reason, applicants respectfully submit that claims 1-8, 29-36, and 57-64 are patentable over Alexander.

Claims 18-24, 46-52, and 74-80

Applicants' independent claims 18, 46, and 74, as amended, are directed to a system and method for providing advertisements within an interactive application implemented at least in part on user equipment. Branded passive programming that is associated with a brand is provided to the user equipment. An alert icon is displayed on the user equipment overlaid on the currently displayed branded passive programming to indicate the availability of additional information associated with the currently displayed branded passive programming. A user associated with the user equipment is provided with an opportunity to select the alert icon to indicate a desire to access the additional information. In response to the user selection, an interactive display is provided on the user equipment. The displaying includes an advertisement associated with the brand of the currently displayed branded passive programming.

Applicants submit that independent claims 18, 46, and 74 are patentable over Alexander at least because the claimed invention patentably improves upon Alexander by 1)

displaying on the user equipment an alert icon overlaid on the currently displayed branded passive programming that indicates availability of additional information associated with the currently displayed branded passive programming, and 2) providing, in response to user selection of the alert icon, an interactive display on the user equipment that includes an advertisement associated with the brand of the currently displayed branded passive programming. As illustrated by applicants' FIG. 11a-c, branded passive programming sponsored by DiGiorno may display alert icon 1100 that indicates the availability of additional information associated with the currently displayed passive programming (e.g., a recipe for DiGiorno pizza). The interactive display provided in response to user selection of the alert icon includes an advertisement for the DiGiorno brand as shown in FIG. 11c (applicants' specification, page 38, lines 8-31).

While Alexander refers to on-screen notifications that are overlaid on a television program (Alexander, col. 14, line 43 to col. 15, line 31), applicants' claims patentably improve upon Alexander by requiring an alert icon overlaid on the currently displayed passive programming that indicates the availability of additional information associated with the currently displayed passive programming. Applicants' claims also patentably improve upon Alexander by requiring that an interactive display be provided in response to user selection

of the alert icon that includes an advertisement associated with the brand of the currently displayed branded passive programming.

Accordingly, for at least the foregoing reasons, applicants respectfully submit that claims 18-24, 46-52, and 74-80 are patentable over Alexander.

Claims 25-28, 53-56, and 81-84

Applicants' independent claims 25, 53, and 81, as amended, are directed to a system and method for providing advertisement space to advertisers across television-related products (e.g., an interactive application and a passive program). Advertisement time for an advertiser is allocated both in an interactive application and during a passive program. The advertisement time is allocated across the interactive application and the passive program such that an advertisement for the advertiser is provided within a display of the interactive application to coincide with the advertisement time allocated to the same advertiser in the passive program.

Applicants submit that independent claims 25, 53, and 81 are patentable over Alexander at least because the claimed invention patentably improves upon Alexander by allocating advertisement time across the interactive application and the passive program such that an advertisement for the advertiser is provided within a display of the

interactive application to coincide with the advertisement time allocated to the same advertiser in the passive program.

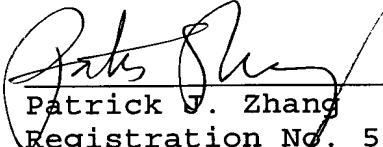
As illustrated by applicants' FIGS. 9a-d, a selectable advertisement graphic 108 is provided in the interactive application that indicates a passive program sponsored by Miller Lite is currently being provided on a passive guide channel. Concurrently, advertising time on the passive guide channel during the passive program has also been allocated to Miller Lite, such that the display of the advertisement for Miller Lite in the interactive application coincides with the advertisement time allocated to Miller Lite in the passive program (applicants' specification, page 35, line 5 to page 36, line 23). Applicants' claims patentably improve upon Alexander by requiring that advertisement time be allocated across an interactive application and a passive program such that an advertisement for an advertiser in the interactive application coincides with advertisement time allocated to the same advertiser in the passive program.

Accordingly, for at least the foregoing reason, applicants respectfully submit that claims 25-28, 53-56, and 81-84 are patentable over Alexander.

Conclusion

Applicants submit this application is now in condition for allowance. Accordingly, prompt consideration and allowance of this application are respectfully requested.

Respectfully submitted,



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